Scott. II.37—30,000—26-11-32.

Dept. (1933) Department.

M

Mines SERIES.

G.O. No. 42

DATED 6/1/33

[Despatch Abstract.]

Mines Gunda Manganese Mines — Md Abdul Hye Sahib Babu — Suspension dead rent — temporarily Sanctioned

Records kept up

ई० १९८ वर्ष 25.7.32

१०४ वर्ष 5.7.32

७८२ वर्ष 11 ८ २८

२३७५ वी १ ८० - 13

Dev 1803 I/32

4.8.32

From,

Khan Sahib K. Abdul Hye,
Ex:- M.L.C.
Mine Owner.

Bellary. 1st September 1932.

To:

Hon'ble The Revenue Member,

Government Of Madras.

Hon'ble Sir,

In accordance with the personal representation made to you on the 30th July 1932, regarding the remission of the dead rents due by me on Gunda Manganese Mine, I beg to put in my petition for your kind review on G.O. No. 994 M S, dated 25th July 1932, as follows:-

1) In the abstract of the Government Order the appeal preferred by me is said to have been rejected.

2) The circumstances of my case are fully explained in my appeal to the Government dated 15th June 1932, submitted through the District Collector Of Bellary copy of which is enclosed for perusal.

3) You are aware that all the mines in the district are closed on account of the slump in the mining market and the mine owners are practically ruined.

4) The Hon'ble The Board of Revenue were pleased to suspend for a period of two years, part 7 - para 3 and part 5 and 6 of the mining lease in B P. Mis. 570 dated 16th Feb. 1931, mentioned in C. No. 413/31, dated 1st March 1931, of the District Collector Of Bellary, copy herewith enclosed for perusal.

5) After giving this hope, the Board subsequently stated in B P. Mis. 4118, dated 23rd Dec. 1931, that the orders issued in the former proceedings authorised, only the suspension of the working of the area and not the suspension of the dead rents which I submit was not the wording of the Collector's letter based on the Board's proceedings.

(Continued next page)

6) On the perusal of the letter of the Collector copy of which is herewith enclosed it will be clear that parts 5 and 6 of the mining lease relating to payments of rents etc. and when these are suspended it naturally means that all payments mentioned in those paragraphs were suspended and nothing less than that. On that understanding I have been acting and have been doing nothing.

7) This has already been submitted for your kind consideration in person and you were pleased to go through the conditions of the mining lease and the clauses relating to the payments of rents suspended in my case by the Hon'ble The Board of Revenue.

8) I now appeal to you to exercise your special powers according to part 9 - para 13, of the mining lease in a generous way and remit the dead rents as per the assurance given to me in the letter of the District Collector.

I beg to remain,
Sir,
Your most obedient servant

(Encls:- Copy of Collector's letter, extracts from mining lease parts 5,6, part 7- para 3, part 9 - para 13, Copy of G. O. No.994 Mis. and copy of original application to Government)

3

PROCEEDINGS OF THE Collector Of Bellary,
MEMORANDUM

Name A.M.A.C. Galletti Esq., MA., I.C.S.

Ref. C.No. 403/31 dated 1st March 1931.

Mining - Manganese - Hospet Taluk - Gunda Reserve - Suspension of lease; application of Khan Sahib K. Abdul Hye Sahib - Orders - passed.

Ref:- B.P. No. Mis. 570 dated 16-2-1931

Order.

The Board is pleased to suspend for a period of two years Part VII - paragraph 3 and part V and VI of the Mining lease of Gunda Reserve granted to Khan Sahib K. Abdul Hye Sahib, Bahadur.

2. The lessee is informed that if he does not resume mining operations within the period, action will be taken to cancel the lease.

(By Order)

(sd) A. Narsinga Rao.

K.K.R.3-3-31. Huzur Sheristadar.

To Janab Khan Sahib K. Abdul Hye Sahib Bahadur,
Coil Bazaar, Bellary.

Part. V.
(Rents and Royalties)

1. The lessee shall as from the 20 day of Jan. 1927 during the subsistence of this lease pay to the Secretary of State the certain half-year rent of ₹.751-10-0 on the 20th day of July and the 20th day of Jan. in each year the first payment therefore to be made on the 20th day of July 1928 in respect of which rent the lessee may in the half-year in respect of which the same is payable sell and carry away such aggregate quantity of the said ore as at the rates in the next succeeding clause mentioned would produse royalties for that half-year equal in amount to the said half-yearly rent but the said half-yearly rent shall be paid whether such quantity shall be sold and carried away or not.

2. The lessee shall during the subsistence of this lease pay to the Secretary of State on the 20th day of July and the 20th day of January in each year:-

(Royalty at the rate of 2½%, on the sale value at the pit's mouth or on the surface of all Manganese ore produced from the said lands which shall be sold upon the said lands or carried away ~~by~~ therefrom by the lessee during the half-year preceeding the said dates respectively in excess of the quantity which the lessee is authorised to sell or carry away in the half-year in respect of the said certain half-year rent).

3. The lessee shall pay to the Secretary of State in respect of all parts of the surface of the said land which shall from time to time be occupied or used by the lessee under the authority of these present rent at the rate of ₹.0-4-0 per annum per acre of the area so occupied or used and so in ~~the~~ proportation of any area less than an acre during the period from the commencement of such occupation or use until the area shall cease to be so occupied or used and shall be restored to its original conditions which rent shall be computed and shall be paid on each of the half-yearly dates herein before ~~mainted~~ appointed for payment of the said certain half-yearly rent provided that no such rent shall be payable in respect of the occupation or use of the area comprised in any roads or ways

P.T.O.

roads or ways existing on the said lands at the commencement of the term of this lease.

P a r t. VI.

1. The rents and royalties mentioned in part V of this schedule shall be paid free from any deductions to the Sub Treasury officer at Hospet or to such other officer and at such other place as the Collector of Bellary shall from time to time appoint, provided always and it is hereby agreed that Rs.500 the balance standing to the credit of the lessee on account of the deposit made by him on applying for this lease shall subject to the provisions hereinafter contained be retained and accepted by the Secretary of State in satisfaction of the rents and royalties mentioned in part V until they reach that amount.

2. If in any half-year after the first 12 months of the said term the lessee shall not sell and carry away such aggregate quantity of the said ore as at the rates mentioned in clause 2 of part V of this Shedule would produce royalties for that half-year equal in amount to the said certain half-yearly rent then and in such case the lessee may in the next succeeding half-year sell or carry away such quantity of the said ore as shall be required to make up the deficiency in such previous half-year without paying any rent or royalty in respect of the same other than the said certain half-yearly rent.

P a r t. VII.

3. The lessee shall within one year from the date of this lease start mining operations in the said lands to the satisfaction of the Local Government and shall thereafter at all times during the continuance of this lease search for win work and develop the said ore without voluntary intermission in a skilful and

P.T.O.

and workman like manner and upon the most approved principles without doing or ~~xxxxxxxx~~ permitting to be done any unnecessary or avoidable damage to the surface of the said lands or the crops buildings structures or other property thereon and shall not cultivate or use the said lands in any manner other than as authorised by these presents.

P a r t. IX.

13. If and whenever any question or dispute shall arise in regard to the construction meaning, or effect of these presents of any clause or thing herein contained or in regard to the manner or the sufficiency of the observance or performance by the lessee of any covenant or agreement herein contained or in regard to the mode of working of the said ore or the maintenance or condition of any works in or upon the said lands or in regard to any valuation to be made under these presents or in regard to the amount or payment of any rent royalty compensation or other money payable by the lessee or in regard to any other matter or thing relating to or arising out of these presents such question or dispute shall be determined by the Local Government whose decision thereon shall be final and binding on the parties hereto.

**********----------**********

GOVERNMENT OF MADRAS

7

A b s t r a c t.

Mines - Gunda Manganese mines - Hospet - Bellary District - remission of dead rent - Appeal petition from Mr. Abdul Hye - Rejected.

Serial No 994 (M)

25.7.32

Development DEPARTMENT

G. O. No. 994 Ms., dated 25th July 1932.

Petition from Khan Sahib K Abdul Hye, dated the 15th June 1932.

O R D E R:-

XX XX XX

Khan Sahib K.Abdul Hye is referred to the Board of Revenue for orders on his petition to Government.

(By Order of the Governor in Council)

S.H. Slater,
Secretary to Government

To the Board of Revenue, Land Revenue and Settlement (Withencl)

" Khan Sahib K. Abdul Hye, Ex:- M.L.C., Proprietor, The Bellary Manganese Mining Co-operative Socity, Bellary.

Forwarded

(By Order)

Cm. Superintendent.

8

To:

The Secretary to Government,

Development Department,

M A D R A S.

Thro'

The District Collector Of Bellary,

B E L L A R Y.

Sir,

Ref:- Mining - Lease - Manganese - Bellary Dt. - Gunda Reserve - Suspension of dead rents - The Bellary Manganese Mining Co.,

---

Petition on behalf of the Bellary Manganese Mining Company most respectfully showeth:-

The petitioner is the lessee of Gunda Reserve in Hospet Taluk covering an area of 1503 acres 16 cents for working Manganese. The lease was granted on 20th January 1927.

2. On account of the unfavourable character of the mining market, the company was not able to work the mine satisfactorily. The petitioner has till now spent an enormous amount in trying to bring the mine into a working order.

3. The mining industry is in a most un-satisfactory condition now-a-days owing to some disturbances in Europe many important Iron, Steel manufacturies are closed. Also on account of exports of Manganese ore from Russia and other parts of the world, the manganese trade in India began to fall from about five years and today the industry has completely collapsed . Even in the Central Provinces where the industry was in a most flourishing condition, the biggest mine owners have been obliged to close all their mining operations. The present state of things is such that European firms which have direct dealings with

P.T.O.

(2) 4

with European markets in the matter of selling their ore, are obliged to shut down their mining operations to a large extent. The Manganese market began to decline about four years ago and today the condition is deplorable indeed. There is absolutely no market for any successful business ~~operations~~ operations of the mines. The Indian mining enterprises are subjected to great calamities from which it is impossible for them to extricate themselves unless and until Government comes to their aid. Apart from the closure of the mines, huge stocks of Manganese ore are lying unsold all over the country and it is impossible, as some experts have held even to recover half the capital spent in producing the ore.

4. In the above circumstances, the company petitioned to the Collector on 29-10-1930 (Copy enclosed) explaining the several difficulties under which the company is suffering and requested him to refund the dead rent already paid and to waive further recovery for some time to come. The Collector in his letter No. 6469/30, dated 26-12-30 informed me that it was not possible to refund the dead rent while the mine was being worked under a sub-lease but suggested that the obvious course if the mine could not be worked a t a profit, was to apply for the cancellation of the lease or if the present depression was only temporary to apply for suspension of the condition that I would work it, in which case he would recommend that dead rent should not be levied during the period of suspention. I submitted a petition accordingly and the Collector informed me in his letter No. 403/31, dated 1-3-1932 that the Board was pleased to suspend for two years some of the conditions of the lease.

5. In his letter No. C. 3837, dated 7-1-32, the Collector further informed me that the board in B P. Mis. 4118 dated 23-12-31 stated that the orders issued in its proceedings No. Mis. 570 dated 16-2-31 authorised only the suspention of the working of the area granted to me on lease and that dead rent should be collected under rule 50(ii).

P. T. O.

~~151~~ 10

6. The present order of the Collector was a great shock to me in view of the present economic depression and the ~~spium~~ slump in the manganese mining market.

7. I respectfully venture to submit that the Board's orders are ungenerous in view of the fact that I have paid already to Government a sum of about Rs. 6750/- by way of dead rents besides a huge outlay over the mining work without getting anything by way of return for the amount and labour spent.

8. As compared with the ore of the Central Provinces and elsewhere the ore in the mine is decidedly inferior as the percentage of Manganese is far below 35%. Such ores are properly termed "Magneferous Iron Ores" rather than Manganese ores. But the dead rent fixed at Rs.1/- an acre was unduly heavy. This would not be felt if there was a boom in the mining market. I am placed in an unfortunate position as there is not even a demand for high grade ore.

9. Where there is failure of crops whether by natural causes or otherwise, the Government have always been generous to grant either suspension or remission to the ryots,. The Government have also recognised that the prosperity and happiness of the ryot, the peasant and the land owning classes is very dear to their heart.

10. In the circumstances, I feel it but fair that the dead rent due may be remitted or suspended. Considering the hard times due to economic causes and slump in the mining market, I request that the Board will take a generous view and revise its orders.

11. Till final orders are passed, I request that the collection of dead rent may be stayed.

I beg to remain,
Sir,
Your most obedient servant.

(Sd) K. A. Iyer

11

Rev Dept

4/ 11/9.37 ann No 1803 D/321 D 31 8 32

Dep and keep a clean copy

D 31/8/32

Copy of the appeal of Khan Sahb K. Hasan Hye Sahb of Bellary & the Proceedings of the Coll. of Bellary No 403/31 D 3/3/31 are forwarded to the Bd of Rev

In view of the present business depression, the Govt are inclined to the view that where there is real distress and a chance of recovery later on, postponement of payment of dead rent for a period which may be extended from time to time if necessary will be very appropriate

disposed to think that a postponement of dead rent, coupled if necessary with a charge for interest on the postponed rent, may appropriately be granted

But upon addressing Govt of India on the subject, they wish to be satisfied that, before the present difficulties arose, the present applicant has been able, in the case of his lease as well as any other in the taluk, worked his mines

12

(and that interest may be charged in the first instance atleast The Govt however contemplate that the concession should be granted only where the applicant has worked the particular mine or similar mines properly in the past & paid rents in due time and there is reason to believe that he will similarly work the particular mine properly again as soon as economic Conditions permit

The Bd is requested to ascertain & report whether in Abdul Hye satisfies the above principles & is eligible for the concession contemplated

RR
30/8/22

regularly & paid his rent & other dues punctually.

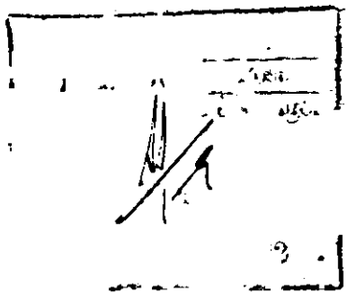
The Board is requested to report in this point, and it is meantime, is instructed to the Coll of Bellary not to press the collection of

Cf - f N.7

dead-rent pending further orders

Sec
31/8

To
The Bd of Rev
L R Dept
with Coll's
N.1-9C7



Ea 20882

13 Development Department.

Memorandum No. 1803 I / 32-1, dated 31st August 1932.

Copy of the appeal of Khan Sahib K. Abdul Hye Sahib of Bellary and the Proceedings of the Collector of Bellary, No. 403/31, dated 1st March 1931 are forwarded to the Board of Revenue.

In view of the present condition of the manganese business, the Government are disposed to think that a postponement of ~~dead~~ dead rent, coupled if necessary with a charge for interest on the postponed rent, may appropriately be granted. But before addressing the Government of India on the subject, they wish to be satisfied that, before the present difficulties arose, the applicant has, in the case of ~~its~~ this lease as well as any others he may have held, worked the mines regularly and paid his rent and other dues punctually. The Board is requested to report on this point, and, in the meantime, to issue instructions to the Collector of Bellary not to press the collection of dead-rent pending further orders.

S.H. SLATER

SECRETARY TO GOVERNMENT.

To the Board of Revenue, Land Revenue and Settlement.

Forwarded

(By order)

Superintendent.

jn.

14 Dev. 2651-I
17-11-32
C.F. 31

Development **DEPARTMENT.**

CURRENT No.

Received ..... 19 *Registered* 19

Subject.

Mining leases- Manganese -(Bellary)- Gunda mine- Rents and other dues - Remission -Khan Sahib Abdul Hye Sahib Bahadur -appeal- Board's report submitted.

ENCLOSURES.
No. .....
.....
Spare copies .....

Routine.. No. 5772.

Station Madras, *Dated the* 16th November 32 19

From

The Board of Revenue, ~~Revenue Settlement, etc.~~ Land Revenue and ~~Separate Revenue.~~

C.A. Souter Esq., I.C.S.,

Commr. of Land Revenue and Settlement.

~~Resolution~~ Reference.

Read the following:- p 13 supra

Memorandum from Government, Revenue Department, No.1803 I/32-1, dated the 31st August 1932.

Resolution.-

The Board submits the following report with reference to the Government memorandum No.1803 I/32-1, dated 31st August 1932. p 13 supra

2. Janab Khan Sahib K.Abdul Hye Sahib Bahadur holds two leases, one for Tonsigeri reserve and the other for Gunda reserve in the Kudligi andHospet taluks, Bellary district. In its proceedings No.Mis. 1479 dated 9th May 1931, the Board

permitted the temporary closure of the Tonsigeri mine for a period of one year from 19-3-31 and extended this period for another year in B.P.No. Mis.2494 dated 22-8-1932. The Board also sanctioned the temporary suspension of the mining lease in respect of the Gunda reserve for a period of two years in its proceedings No.Mis. 570 dated 16-2-31.

3. The lessee worked the Tonsigeri mine regularly till 1930-31 and paid the rents and other dues up to date. He also worked the Gunda mine regularly till 20-1-31 and paid the rents and other dues punctually up to the half year ending 20-1-1931. In regard to the dead rent due from 20-1-1931 he has submitted the present petition to Government.

4. The Collector has already been instructed not to press the collection of dead rent pending further orders of Government.

5. The Board assumes that in recommending the postponement of payment of the dead rent the Government will take into consideration the fact that a precedent is being set up.

(True Extract)

Assistant Secretary.

To the Secretary to Government, Development Deptt.

M.D. 16-11

16-11

16

Dev. Dept.

Letter No. 1803 I/32-2 dated 7. 12. 1932.

To

The Secy. to the Govt. of India,
Deptt. of Industries & Labour,
New Delhi.

Sir,

I am directed to forward a petition dated 15-6-32 from Khan Sahib K.Abdul Hye Sahib Bahadur of Bellary who is a lessee of the Gunda Manganese mine in Hospet taluk, Bellary District covering an area of 1503 acres, requesting the remission of dead rent due to Government. In its proceedings No.Mis.570 dated 16-2-31 (copy enclosed) the Board of Revenue suspended the lease for a period of two years on the recommendation of the Collector of the district, in view of the depressed condition of the Manganese market. In his present petition Khan Sahib Abdul Hye requests that the dead rent due to Government may be remitted until such time as the market conditions improve. In view of the present

condition of the Manganese business this Govt. are disposed to think that a postponement of dead rent -- coupled, if necessary, with a charge of interest on the postponed rent -- may appropriately be granted. The Mining Rules do not, however, appear to contemplate remiss. suspension of dead rent in any circumstances. It is possible that similar cases may have arisen elsewhere, and I am to enquire whether the Govt. of India would have any objection to the local Govt. suspending dead rent in this case for a temporary period on the condition stated above. The amount involved up to date is Rs.2254-14-0. Khan Sahib Abdul Hye has been in the past regular in payment of royalties, rents etc., due to Govt.

I have etc.

p5 n.7

cf. on ar p 13 c-7

p 12 ? (N)

pf 14+15 C-7

8/12

Endorses :- pf 1-4 ? (N)

p 7 ? (N)

18 Dev. 16-I
3-1-33

All communications should be addressed to the Secretary to the Government of India, Department of Industries and Labour, by title, NOT by name.

Telegrams: "INDUSTRIES".

ASSISTANT SECRETARY TO GOVERNMENT 2 JAN 1933 DEVELOPMENT DEPARTMENT

GOVERNMENT OF INDIA.

Department of Industries and Labour.

No. M1146.

Dated New Delhi, the 29th December 1932.

From

Rai Bahadur S.K.Banerjee,
Assistant Secretary to the Govt. of India,

To

The Secretary to the Government of Madras,
Development Department, Fort St.George.

Subject.- Proposed postponement of dead rent on a mining lease in the Bellary District.

Sir,

Mr 1617 supra.

In reply to your letter No.1803 I/32-2, dated the 7th December 1932, on the above subject, I am directed to convey the sanction of the Governor General in Council to the postponement of payment till such time as the Local Government may select of the dead rent which has accrued and is accruing on the Gunda Manganese Mine in Hospet Taluk, Bellary District. Interest may be charged at the discretion of the Local Government at any suitable rate determined by it.

2. The Government of India have assumed that the Local Government intends that the dead rent should continue to accrue during the period of suspension of the lease and that all that was recommended in your letter is the postponement of payment.

I have the honour to be,
Sir,
Your most obedient servant,

Assistant Secretary to the Govt. of India.

19

Khan Sahib K. Abdul Hye,
Ex:- M.L.C.

Bellary. 30th July 1932.

Dear Hon'ble Sir,

In regard to the representations made by me this morning, I beg to make a formal request to kindly suggest the Collector to suspend the immediate collection of rents relating to the Gunda Manganese Mines temporarily, until the whole case is reviewed by you.

I am also putting in a review petition to the Government.

Yours sincerely

2 D

Development Secretary:

The Bellary Manganese Mining Company.

I understand from Khan Sahib K. Abdul Hye Sahib, the Proprietor of the Bellary Manganese Company, that he applied for the postponement of the collection of rent and that the Board of Revenue in B.P. No.570 Mis dated 16th February 1931 sanctioned the postponement but that this has been cancelled by Government in G.O. No. 994 Dev. dated 25th July 1932. Please let me see the connected papers.

(M)

Dev. 17746-I
2-8-32

30.7.32

Dev Dept

Please see Hon'ble query above.

Reference is solicited to portion marked K at p 2 of G.O. 994 Dev dt 25-7-32. It will be seen that the Board suspended the lease for a period of two years but not the dead rent, and this is borne out in the Board's proceedings No 1182 dt 14.4.32 - vide p 5 of G.O. ibid. The contention of the petitioner was that the letter from the Collector gave him the implied meaning that the Board has suspended the collection of dead rent. Reference

(M)

K at p2 of (M)

21

Reference is solicited to the rules at pp 7-8 of S.O. ibid. Neither the local Govt nor the Govt of India have powers under the rules, to suspend or remit dead rent without specific sanction of the Secretary of State for India.

RR
4.8.32

3-8-32.

Cu
4.8.32

A memorial on the subject from Mr Abdul Hye was given me this morning. Please put it up with this and any further note that may be necessary

SM
4/8

Dev Dept

Please see the petition from Mr Abdul Hye at pp 1-2 c.f. and the enclosures thereto at pp 3-10 c.f.

The ~~Contention~~ request of the petitioner is that the dead rent payable in respect of Gunda Pt Sugarcane mine be remitted ~~except~~ under Part IX para 13 of the mining lease as per the assurance given to him in the letter of the Dt Collector at p 3 c.f. The question is whether the Govt ~~has~~

can remit dead rent due by the lessee. It is submitted that there is no provision in the Govt. of India Rules regulating the grant of mining concessions to the remission or suspension of dead rent; c.f. also Board's letter at pp. 1-~ of G.O.No.908 Development dated 5-7-32. Rule 50(XVI) of the Mining Rules gives power to the Local Government to decide questions or disputes in respect of payment or amount of royalty or rent reserved or made payable by the lessee. Clause 13 of Part IX of the Mining Lease is based on Rule 50(XVI). In the present case there is no dispute in respect of payment of dead rent. The request of the petitioner is that the dead rent due to Govt. should be remitted for two years. This cannot be done. // The statement in the petition based on Collector's proceedings (p.3 c.f.) that the Board had remitted the dead rent is incorrect. Copy of the Board's order has been obtained and is at p.7 of flag (N). The Collector conveyed this order in his proceedings which is not properly worded vide p.3 c.f.

(S)

p 819 Mr Manual

p 1519 Mr. Manual

para p 2 c.7 (M)
Cf. ab. p 2 g: no. 994
25.7.32

Cf. para 4 p 1 c.7

D.R.
17-8-32
G.N.
18-8-32

18/8/32 S.

It is unfortunate that the Collector shd have wrongly informed the Petr of the Board's order. That had at any rate the effect of making him postpone relinquishment. But he does not really wish to relinquish, and the case for remission (even if admissible) is perhaps not very strong. There is however, the analogous case of assessment

5 23

on Estate coffee land assigned for
lease as coffee plantations which has,
I understand, been remitted or
suspended in several cases

Perhaps the best course will be to report
it can to the Secretary India, & ask
whether such remissions are being
granted elsewhere if so, a similar
concession may be granted here

Perhaps the Board may be told
not to press the collection of arrears or
pending further orders

S
19/8

or suspension
apld
23. S 32

apld
23. S 32

C 3

When there is real distress, and
after a chance of recovery later a
Moratorium seems to be the
appropriate way of dealing with
the case i.e. as postponement
of payment - interest not to be charged on
the first rent due at Xmas for a
period which can if necessary be
extended from time to time; a
concession that might be granted
where the applicant has worked

5 24

the particulars immediately in the last & there
was no reason to believe that he will
similarly with the particulars immediately again as soon as circumstances permit

& paid his rents as on due time

P.

all
25-8-32

Lo AS

As ordered by the Secy in the margin ~~above~~ above, a draft on to the Board is submitted for approval.

28/8
29-8-32

28/8/32 S

Secy
31/8

[Issued as on 1803 I/32-1 Dy 31.8.32]
[From the Bd's Rec No Rt 5772 Dy 16.11.32]

To
AS.

Please see the reference from the Board at pp 14-15 C-7.

2/ The Board reports that Khan Sahib Abdul Aziz has been in the past regular in payment of royalties & rents due to Govt. As ordered at p 5 supra the Govt of India may be addressed.

pp 14-15 C-7

R 25

If so a draft letter to G of I is submitted for approval.

3/ In para 5 of its reference, the Board observes that a remitting or suspending dead rent in this case, Govt will be setting a precedent in the matter. -p 15 C-7

24.11.32

27/11/32

What is the amount involved?

28/11/32

Submitted, the amount involved is Rs 2,254-14-0 Vide p 12 of (N) It has been incorporated in the draft.

26.11.32

For approval

1/12

Ind. on 1-12-32
Bom. D-18.
Dated 7-12-32
Circulate

1/12.32

C. 3 all 2.12.32

H.E. 1.12.32

Issue

[illegible]

[Issued as letter No. 1803 I/32-2 dy 7.12.32 p 16-17 C-7

[From Govt of India H 1146 dy 29.12.32] p 18 C-7

Please see the letter from the Govt of India at page 6 ante.

2/ They agree to the postponement of collection of dead rent from Abdul Haye Sahib Bahadur in respect of Gunda Mangalore mines until such time as local Govt may fix

The Board may be informed accordingly.
~~which will be done by communicating to the~~
~~party concerned~~

2 With reference to para 2 of the Govt of India letter at p 18 c.f it is submitted, that their presumption is correct - vide Hon's minute at pp 5-6 supra and ors at p 13 c.f.

3/ A draft order is submitted for approval

RR
5/1/33

Vaidya
6.1.33 - 6.1.33

It is proposed to hear the Board to fix the rate of interest

SM
5/1

C3 ASM 8.1.33

Issue
SM
9/1

pl issue a/c
6-1-33
D.18
9-1-33

6/1-33

27

Supdt in Charge of Mines

Ref B.O. No 570 of 16/2/37 re Mining Regulations

Please State if whether suspension of para 39 Part VII & Parts V & VI of the mining lease Amounts to Suspension of dearrent.

Issued 8/6/37

8/6/37

C.F. 304—4,180 Bks.—10-11-30

18

OFFICE OF THE _____

Dated _____ 193

_____ Hours _____ Minutes.

TELEPHONIC MESSAGE

From The Supdt. in charge of Mines

To The Supdt. Dev. Dept:

Ref your 6 m. dated 6-8-32
Ref. R. P 570 (Mis) dated 16.2.31.

It is doubtful if the
portion of the lease deed referred
to in your 6 m. can be suspended
the working of a mine may
perhaps be permitted to be
suspended (ii) the question
of time for starting operations
may be granted.

Reg
8/32

29

Supdt in charge of Mines

Ref. your Dr of 8/8/32 re — B.P. 570
Dy 16-2-37.

Please let me know whether Rents & Royalties referred to in Part V of the mining lease include also dead rent leviable. If so whether under Part IX of the mining lease, it can be suspended or remitted. An early reply will oblige

Issued
Dy 5/3/37

9-8-37

C.F. 304—4,160 Bks.—10-11-30

OFFICE OF THE _____

Dated _____ 193

_____ Hours _____ Minutes.

TELEPHONIC MESSAGE

From The Supdt. (Music) Bd. of Rev.

To The Supdt., Dev. Dare.

Ref. your L.m of 9.8.32
rey. B.P. No 570 dy 16.2.31

The term fixed half yearly rent" occurring in Part. 5 of the lease deed represents dead rent. Only dead rent or royalty is leviable under the lease deed. It appears that it can neither be remitted or suspended under Part. IX of the lease deed

Ry
11/8/32

SC 31

To

The Supdt in charge of Mines
Bd of Rev

Please send us a copy of BP
570 mrs Dy 16.2.31 granting
Mr Abdul Hye of Bellary Certain
Concessions in regard to Manganese
Mines

Issued
Dy 13/3/31

13.3.31

Issued
Dy 13/3/31

13.3.31

C.F. 804—4,542 Bks.—10-10-31

32

OFFICE OF THE _____

Dated 18/8/32 193

_____ Hours _____ Minutes

TELEPHONIC MESSAGE

From The Supdt. Development

To The Supdt. in charge of Mines

Please send very urgently a copy of BP no. 570 of 16/12/31 granting mr: Abdul Hye of Bellary certain concessions in regard to Gunda Manganese mines —

11/8 1A Refer (Post copy)

13/8 Furnished

13/8/32 Superintendent Supdt 13/8/32

In the Report, Dev. with copy of BP 570 dtd 16-12-31 & other papers now in it — Enclosed & sent

337

Copy of Board's Proceedings No. Mis. 570, dated 16th February 1931.-

Read the following:-

Letter from the Collector of Bellary, ~~Bellary,~~ Ref. C.No. 403/31-A-1, dated 23rd January 1931.

RESOLUTION:

MINING - Lease - Manganese (Bellary) Hospet taluk - Gunda reserve - Suspesnion of lease - petition -Khan Sahib K.Abdul Hye Sahib Bahadur - Orders passed.

The Board approves the Collector's proposal to suspend the lease for a period of two years. The Collector is requested to submit proposals for cancelling the lease if the lessee does not resume mining operations within the period.

(True Extract)

(Sd.) K.Raman Nayar,

Asst.Secretary.

To the Collector of Bellary, with D.Dis. 6469/30-A-1, dated 26-12-1930 returned.

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s.s./13-8-32.

MR
P.M.S 1918

Copy of letter from A.M.A.C.Galletti Esq., M.A., I.C.S., Collector of Bellary, ~~Bellary,~~ Ref. C.No. 403/31-A-1, dated 23rd January 1931:-

Mining - Manganese - Hospet taluk -Gunda reserve - Suspension of lease - recommended.

Khan Sahib K.Abdul Hye Sahib Bahadur, Bellary holds a thirty year's lease for manganese from 20th January 1927 over a portion of the Gunda Forest Panchayat Reserve in Hospet taluk. The grant was approved by the Board in B.P. No.Mis. 2633, dated 15th November 1926. Owing to the financial situation and marketing difficulties he now applies for a temporary suspension of the mining lease.

2. Enclosed is the correspondence (No. D.Dis.6469/30) containing the original petition of the lessee requesting that the Government might be moved to waive dead rent, and also refund dead rent already paid, until such time as the market conditions had improved and my reply. The lessee now applies for the suspension of the lease. A copy of his letter is enclosed. In the circumstances, I recommend that Part VII, paragraph 3, and Parts V and VI of the lease be suspended until further notice from the party with a limit of two years.

*****

Copy of letter dated 14-1-1931 from Khan Sahib K.Abdul Hye Sahib Bahadur to the Collector of Bellary.-

Ref.- Your D.Dis. C.No. 6469/30, dated 26-12-30.

I must in the first place thank you for the sympathetic and businesslike view you have taken of the whole matter in suggesting me to apply for the suspension of the deadrent relating to the Gunda mine under the present circumstances of depression in the manganese trade. The other alternative suggested, namely, to apply for the cancellation of the lease, I submit, would mean a disaster to my firm, inasmuch as very

large investments - something like Rs.50,000/- fifty thousand have already been made in this concern and in developing this property, the fruit of which, we still hope to enjoy when better times prevail upon. It is not due to any incapacity to work the mine I have made the request, but, submit that it is the poor quality of the mineral which has been exploited after four years hard work and enormous cost that is responsible for the unsuccessful working of the mine. For that matter I submit that my firm has been engaged in the mining enterprise for the last twelve years and even in the present state of depression we have been successfully working about half a dozen mines for different minerals in this Presidency and elsewhere. This property, resourceful as it is for low grade ore, was handled with very great care and as we were about to find a sale for its out-put, the manganese market unfortunuately collapsed beyond its recovery and about three thousand tons of stock is held up at the Pit Head, which cannot be sold at present due to its poor quality. This state of affair I am sure will not last long, as there is bound to be a rise in prices with the advancement of the economic and political conditions of the world.

In regard to your ~~remedy~~ remark that the General Sandur Mining Company, has been able to find a sale for their low grade products in spite of the present depression, I beg to submit that you are not properly informed about the conditions of their business. All their low grade mines at Ramandrug and Kanivihalli have been closed down on account of the poor quality which they are unable to sell and they have concentrated their energy on the Kammatheruvu area, which is the only mine they are working and that produces a higher grade of ore which they are able to sell in the continent. All the same, I submit,

that there can never be a comparison between my poor firm managed by a single soul and the General Sandur Mining Company, which is perhaps, the richest and the biggest mining company in India, controlled by 40 eminent Directors sitting at Home and any stuff that may be sent from here irrespective of its quality will find a sale at their hands as they are men on the spot, who can handle any critical situation arising as a result of depression in the Continental market. Regarding the question of Silica raised by you, I submit, that its low percentage is appreciated only in high grade ore and this side it is the high percentage of iron contents which is responsible for low manganese percentage. Japan is no doubt in the market for the present, but her demand is only for high grade and she will not accept any thing less than 47 per cent metallic manganese as minimum. We are no doubt supplying Japan at present it is the most difficult job we have undertaken on account of the high quality we are asked to supply. This is costing us enormous expenditure in sorting and cleaning the ore to keep up to our reputation. Under these circumstances, I submit, sir, that I have gratefully accepted your suggestion and request you to kindly recommend the suspension of the condition namely condition 3 of part seven of the lease deed and to waive off the dead rent during the period of suspension until such time as the market conditions improve and the mine brought to a productive stage when you will be duly informed.

II-37

To
Supdt-in-charge of Mines
Bd of Rev

pp 14-15 C-7 BoR's ref no Rt 5772 dt 16.11.32
re. mining lease – Sunda manganese mines – Khan Sahib Abdul Haye – remission of dead rent.

Please state very urgently the amount of dead rent due to Govt up to date by Khan Sahib Abdul Haye in respect of Sunda manganese mines

Issued
dt 25-11-32

25-11-32

12 38 Dev. 2717-I 26-11-32

Post copy of telephonic message.

Board of Revenue,

Land Revenue & Settlement,

Madras, dated 25th November 1932.

From the Superintendent, Inams,(Mines) Section,

Board of Revenue, Land Revenue and Settlement.

To the Superintendent, Development Department.

Subject.- Mining leases - Manganese - (Bellary) - Hospet taluk - Gunda mine - Amount of dead rent due - Khan Sahib Abdul Hye.

P 11 Dupe

Ref:- Your telephonic message of today.

---- Mn 1675 C 7

In paragraph 3 of B.P. Rt. 5772 dated 16-11-1932 it was reported to Government that Khan Sahib Abdul Hye paid the dues up to the half year ending 20-1-1931. This information was based on the Collector's report. The Collector has not reported any subsequent collections but has stated that in regard to the amount due from the lessee from 20-1-1931, he has presented the memorial to Government. So, dead rent is apparently due from the lessee for the three half years ending 20-7-31, 20-1-32 and 20-7-32 respectively at Rs.751-10-0 for each half year. The total amount of dead rent due upto date from the lessee on this lease is therefore Rs.2,254-14-0 with interest. This is all the information available in the Board's office. If any further details are required on the point, the Collector will have to be addressed.

Mn 1-2C-7

G. Gopala Rao
Superintendent.

25-XI-32

v.c.25.11.

M.G.S.K.

Sectt. 11-5 (a)

9/1934

Revis 39 Dev DEPARTMENT.

	Date.	Initials.
When received for Fair-copying.		
When copied ..		
When examined ..		
When signed ..		
When despatched ..		

Gunda manganese mine — K. Abdul Hye Sahib Bhdr — ~~suspension~~ of deadrent — temporarily — Sanctioned

READ AGAIN G.O. No. 994 Dev dated 25-7-32 19 (M)

" " " " " 19

READ ALSO :—

C. No. 1803 I/32 From the K. Abdul Hye Sahib Bhdr, No. ff 1-2 c.f. dated 1.9.32

" " 6 " " Bdg Rev No. 1803 I/32 b 13 c.f. " 31.8.1932

ff 14-15 c.f. - do - R 5 7/32 24 Dy 16.11.32

ff 16-17 c.f. " the Govt of India " 1803 I/32-2 " 7.12.1932

ff 18 c.f. - do - N. 1146 Dy 29.12.32

ORDER.

No. 62, dated 10-1-1933

Dy

p. 18 c.f.

Board of Revenue

The Board is informed that the Govt of India have ~~accorded~~ sanctioned ~~for~~ temporary postponement of the payment of dead rent ~~in~~ which has accrued and is accruing in respect of the Gunda manganese mines in Hospet ~~in~~ Bellary Dt held by Khan Sahib ~~Khan~~ Abdul Hye Sahib Bahadur. The Board is requested to postpone collection of dead rent from him until it appears that payment may be made and interest may be charged at a suitable rate during the period of suspension

10.1.33

proper steps to be instituted upon having regard to the condition of the trade.

40

If dead wait

~~The Boards decision requested~~

2/ Khan Sahib Abdul Haye Sahib
is referred to the Board of Rev
for orders on his petition dated 18th Sept 1932

H 1-2 CF.

RR
5-1-33

28/
4-1-33

Sy
5/1

Lal
4-1-33

To
The Bd of Rev L L & S.

Khan Sahib Abdul Haye
Sahib Batth
Irrie and
Bellamy
(Para 2 only)
in cust form)

Dead
[illegible]
5/1